

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

MARIA YOLANDA CHAVEZ,  
INDIVIDUALLY AND ON BEHALF  
OF MINOR LC AND ESTATE OF  
JOSE ANGEL CHAVEZ, AND  
ANGEL CHAVEZ; RITA ELAINE  
COWAN, INDIVIDUALLY AND ON  
BEHALF OF ESTATE OF THOMAS  
DAVID COWAN,

Plaintiffs,

vs.

TYSON FOODS, INC. D/B/A TYSON  
FOODS; TYSON FRESH MEATS,  
INC.; TRANSPLACE TEXAS, LP.;  
AXIOM MEDICAL; COMMUNITY  
CARE NETWORK, LLC D/B/A  
MATRIX MEDICAL NETWORK,

Defendants.

**DEFENDANTS TYSO Foods, INC. AND  
TYSO FRESH MEATS, INC.'S  
NOTICE OF APPEAL**

Notice is hereby given that Defendants Tyson Foods, Inc. and Tyson Fresh Meats, Inc. (together, “Tyson”) appeal to the United States Court of Appeals for the Fifth Circuit from the Order entered October 27, 2021 (Doc. 50) remanding this case to the County Court at Law No. 3 of Dallas County, Texas. Tyson is entitled to appeal the remand order as of right because this case was removed under 28 U.S.C. § 1442(a). *See* 28 U.S.C. § 1447(d) (“[A]n order remanding a case to the State court from which it was removed pursuant to section 1442 . . . of this title shall be reviewable by appeal or otherwise.”); *see, e.g.*, *Latiolais v. Huntington Ingalls, Inc.*, 951 F.3d 286, 290 (5th Cir. 2020) (appeal of federal officer removal as of right).

Dated: November 1, 2021

Respectfully submitted,

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**ATTORNEYS FOR TYSON FOODS,  
INC. AND TYSON FRESH MEATS,  
INC.**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing has been served upon all counsel of record, through the Court's CM/ECF system, on November 1, 2021, as follows:

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